



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING May 5, 2009 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:01 p.m. (The Finance Committee and the Ordinance Committee met at 12:00 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Iya G. Falcone, Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring May 4 - 8, 2009, As Girls Incorporated - Girls' Rights Week (120.04)

Action: Proclamation presented to Scott Bon Durant, Director of Girls, Inc., of Greater Santa Barbara.

2. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through May 31, 2009.

(Cont'd)

2. (Cont'd)

Documents:

May 5, 2009, report from the Administrative Services Director.

Speakers:

Staff: Award Recipient Robert Zimmer, City Administrator James Armstrong.

By consensus, the Council approved the recommendation. The following employees were recognized:

5-Year Pin

Doug Smith, Finance

Jose Torres, Public Works

10-Year Pin

Deirdre Randolph, Community Development

Perry Cabugos, Public Works

Deane Carr, Parks and Recreation

Hipolito Aispuro, Parks and Recreation

25-Year Pin

Caroline Ortega, Finance

Jose Arias, Public Works

Robert Zimmer, Waterfront

PUBLIC COMMENT

Speakers: Ruth Wilson, Jack Wilson, Peter Marin, Liz Anderson, Kate Smith, Don Sharpe, Kenneth Loch.

COUNCIL AND STAFF COMMUNICATIONS

Fire Chief Andrew DiMizio reported the status of the new fire burning in the foothills between San Roque and Mission Canyon.

Councilmember Francisco left the meeting at 2:43 p.m.

CONSENT CALENDAR (Item Nos. 3 - 9)

The titles of resolutions related to the Consent Calendar were read.

Motion:

Councilmembers Schneider/Williams to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote (Absent: Councilmember Francisco).

3. Subject: Records Destruction For Parks And Recreation Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Parks and Recreation Department in the Administration Division, Creeks Division, Parks Division, and in the Active Adults, Community Services, Cultural Arts, Facilities and Program Registration, and Youth Activities Sections of the Recreation Division.

Action: Approved the recommendation; Resolution No. 09-023 (May 5, 2009, report from the Parks and Recreation Director; proposed resolution).

4. Subject: Contract For Design Of Advanced Treatment Solutions For The William B. Cater Water Treatment Plant (540.10)

Recommendation: That Council:

- A. Authorize the Public Works Director to negotiate and execute a contract with Carollo Engineers (Carollo) in the not-to-exceed amount of \$1,495,000 for the design of Advanced Treatment Solutions for the William B. Cater Water Treatment Plant (Cater); and authorize the Public Works Director to approve expenditures up to \$150,000 for cost increases due to unanticipated changes in the scope of work;
- B. Authorize the transfer of \$1,645,000 of Water Fund unappropriated reserves to the Water Fund Fiscal Year 2009 Capital Program Budget; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring its Official Intent to Reimburse Certain Expenditures Incurred for the Cater Ozone Facility from the Proceeds of Future Indebtedness.

Action: Approved the recommendations; Contract No. 23,107; Resolution No. 09-024 (May 5, 2009, report from the Public Works Director; proposed resolution).

5. Subject: State Highway 225 Temporary Closure For The 2009 Santa Barbara International Marathon (520.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting that the State of California Department of Transportation (Caltrans) Permit the Temporary Closure of Portions of State Highway 225 on December 6, 2009, for the Santa Barbara International Marathon.

Action: Approved the recommendation; Resolution No. 09-025 (May 5, 2009, report from the Public Works Director; proposed resolution).

6. Subject: Authorization From The Santa Barbara City Council - Designation Of City Administrator As Signatory For Cal GRIP Grant (520.04)

Recommendation: That Council:

- A. Designate the City Administrator as the authorized official to execute the Agreement for the OES Cal GRIP Grant and to serve as the grant signatory on behalf of the City of Santa Barbara;
- B. Increase Fiscal Year 2009 estimated revenue and appropriations in the City's Miscellaneous Grants Fund in the amount of \$400,000; and
- C. Authorize the City Administrator to execute contracts with the following partnering agencies: Santa Barbara Office of Education, Community Action Commission, and the Council on Alcoholism and Drug Abuse; and the Office of Emergency Services as necessary.

Speakers:

Members of the Public: Kate Smith.

Action: Approved the recommendations; Agreement No. 23,108; Contract Nos. 23,109 - 23,111 (May 5, 2009, report from the Administrative Services Director).

7. Subject: Integrated Pest Management 2008 Annual Report (330.01)

Recommendation: That Council accept the Integrated Pest Management (IPM) 2008 Annual Report.

Speakers:

Members of the Public: Kate Smith.

Action: Approved the recommendation (May 5, 2009, report from the Parks and Recreation Director).

NOTICES

- 8. The City Clerk has on Thursday, April 30, 2009, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
- 9. A City Council site visit is scheduled for Monday, May 11, 2009, at 1:30 p.m. to the property located at 210 and 216 Meigs Road and 290 Lighthouse Road, which is the subject of proposed land use and zoning designation changes to be considered by the Council on May 12, 2009, at 2:00 p.m.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met to hear a Staff report on the Six-Year Capital Improvement Plan (CIP) and Fiscal Year 2010 Recommended Capital Budget for all City funds. The CIP will be forwarded and presented to the full Council at a future meeting (see Agenda Item No. 11).

Councilmember Francisco returned to the meeting at 2:48 p.m.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Das Williams reported that the Committee met to review and comment on draft amendments to Santa Barbara Municipal Code Chapter 9.50 regulating abusive panhandling and solicitations within the City. The Committee supports the amendments but requested that Staff make revisions to the definitions section of the ordinance and then resubmit it to the Committee for additional review.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

10. Subject: Proposed Amendments To The Inclusionary Housing Ordinance (660.01)

Recommendation: That Council:

- A. Consider the recommendation of the Planning Commission that Council not adopt proposed amendments to the City's Inclusionary Housing Ordinance;
- B. Adopt the Final Mitigated Negative Declaration regarding the proposed amendments to the Inclusionary Housing Ordinance; and
- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 28 of the Municipal Code to Revise Chapter 28.43 With Respect to Expanded Inclusionary Housing Requirements for Smaller Residential Projects Approved for Construction Within the City.

Documents:

- May 5, 2009, report from the Community Development Director.
- Proposed Ordinance.
- PowerPoint presentation prepared and made by Staff.
- Affidavit of Publication.
- May 4, 2009, e-mail from Staff.
- May 5, 2009, letter from the Santa Barbara Association of Realtors.

(Cont'd)

10. (Cont'd)

The title of the ordinance was read.

Speakers:

- Staff: Housing Programs Supervisor Steven Faulstich, City Attorney Stephen Wiley.
- Members of the Public: Grecia Lima, PUEBLO; Cathie McCammon, Allied Neighborhoods Association; Tony Fischer.

Discussion:

City Attorney Stephen Wiley recommended that the adoption of the Final Mitigated Negative Declaration (recommendation B) be deferred to the time of ordinance adoption and stated that Staff will also prepare findings pursuant to the Council's discussion today.

Motion:

Councilmembers House/Williams to approve recommendation C.

Vote:

Majority voice vote (Noes: Councilmember Francisco).

COUNCIL AND STAFF COMMUNICATIONS

City Administrator James Armstrong advised that due to the fire, a mandatory evacuation order had been issued for properties located north of the Botanical Gardens.

RECESS

3:52 p.m. to 4:04 p.m. Councilmembers Horton and Williams were absent when the Council reconvened.

CHANGES TO THE AGENDA

Motion:

Councilmembers House/Schneider to continue the following item to May 12, 2009.

Vote:

Unanimous voice vote (Absent: Councilmembers Horton, Williams).

11. Subject: Capital Program Budget For Fiscal Year 2010 (230.01)

Recommendation: That Council:

- A. Receive the Six-Year Capital Improvement Plan covering Fiscal Years 2010 through 2015; and
- B. Hear a report from staff on the Six-Year Capital Improvement Plan and Fiscal Year 2010 Recommended Capital Budget for all City funds.

RECESS

The Mayor recessed the meeting at 4:05 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 12 and 13, and she said no reportable action would be taken during the closed sessions.

CLOSED SESSIONS

12. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6 to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the General Unit, Firefighters Association, Police Officers Association, and Police Management Association bargaining units.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

(Continued from April 28, 2009)

Documents:

April 28, 2009, report from the Assistant City Administrator.

Time:

4:10 p.m. - 5:10 p.m. All Councilmembers were present until Councilmember Horton left the meeting at 5:00 p.m.

No report made.

13. Subject: Conference With Legal Counsel - Potential Litigation (160.03)

Recommendation: That Council hold a closed session to consider potential litigation pursuant to subsection (c) of section 54956.9 of the Government Code and take appropriate action as needed.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

May 5, 2009, report from the City Attorney.

Time:

5:10 p.m. - 5:25 p.m. Councilmembers Horton and Williams were absent.

No report made.

ADJOURNMENT

Mayor Blum adjourned the meeting at 5:25 p.m. to Monday, May 11, 2009, at 1:30 p.m. at 210 and 216 Meigs Road and 290 Lighthouse Road.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

_____	ATTEST: _____
MARTY BLUM	SUSAN TSCHECH, CMC
MAYOR	DEPUTY CITY CLERK